

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

SHANNON M. PETT,

Plaintiff,

Case No: 6:24-cv-00132-MK

v.

COMMISSIONER OF SOCIAL SECURITY  
ADMINISTRATION,

Defendant.

**ORDER**

Upon consideration of the parties' Stipulation for Attorney Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. 2412(d),

It is hereby ORDERED that the stipulation is granted. Defendant shall pay attorney's fees to Plaintiff pursuant to the EAJA in the amount of Seven Thousand Five Hundred Dollars and 00/100 Cents (\$7,500.00) and costs in the amount of Four Hundred Five Dollars and 00/100 Cents (\$405.00) to be paid separately from the Judgment Fund by the Department of Treasury, if ordered by the Court under 31 U.S.C. §1304. See 28 U.S.C. §2412(c)(1).

Pursuant to *Astrue v. Ratliff*, 130 S.Ct 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). If after receiving the Court's EAJA fee order, the Commissioner determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, the fees will be made payable to Plaintiff's attorney. However, if there is a debt owed that is subject to offset under the Treasury Offset

Program, any remaining EAJA fees after offset will be paid by a check payable to Plaintiff but delivered to Plaintiff's attorney.

DATED this 13th day of December 2024.

s/ Mustafa T. Kasubhai  
MUSTAFA T. KASUBHAI (He / Him)  
United States District Judge

Submitted By:

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